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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy T. Achee, Jr. et al. § Art Unit: 3672  
Serial No.: 10/709,755 §  
Filed: May 26, 2004 § Examiner: Giovanna M. Collins  
For: Flow Control in Conduits from § Atty. Dkt. No.: SHL.0301US (68.0475)  
Multiple Zones of a Well §

**Mail Stop Appeal Brief-Patents**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY BRIEF**

Sir:

The following sets forth Appellant's Reply to the Examiner's Answer dated November 6, 2006.

The Examiner argued that the Examiner has established a *prima facie* case of obviousness, and that Appellant has not rebutted the *prima facie* case of obviousness. 11/6/2006 Examiner's Answer at 3. The Examiner pointed to the teaching in Patel '298 at column 3, lines 38-44, as suggesting the modification of Patel '298 to achieve the claimed invention. *Id.* at 4. The cited passage in column 3 of Patel states that multiple, isolated fluid paths are used to produce from different zones. The Examiner argued that the motivation to modify Patel '298 is based on the following: "ensure the isolation of fluid flow coming from a third zone and holding gravel packing in space at a third zone ...." 11/6/2006 Office Action at 4.

Date of Deposit: <u>December 13, 2006</u>
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.
<u>Ginger Yount</u> Ginger Yount

Although Patel '298 does suggest that isolation of multiple fluid paths is desirable, the Examiner has cited to no passage in Patel '298 that would have suggested the use of multiple annular paths in the context of an apparatus that has at least three sand control assemblies, and at least three flow control devices to respectively control flow of the at least three flow conduits, where at least two of the flow conduits include annular paths.

Therefore, it is respectfully submitted that a *prima facie* case of obviousness has not been established, since the Examiner has failed to cite objective evidence that would have provided the requisite suggestion to modify Patel '298 to provide the multiple annular paths in the context of the claimed invention.

In view of the foregoing, reversal of all final rejections is respectfully requested.

Respectfully submitted,

Date: \_\_\_\_\_

*Dec. 13, 2006*



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